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University of Dayton. Academic Senate. Subcommittee to Address Constitutional Voting Issues and
University of Dayton. Academic Senate. Executive Committee, "DOC 2011-01 Senate Voting Rights:
Revisions to the Composition of the Academic Senate" (2011). *Senate Documents*. 2.
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[Approved February 18, 2011; approved by faculty March 21, 2011; approved by the Board of Trustees May 19, 2011]

PROPOSAL TO THE ACADEMIC SENATE

TITLE: Senate Voting Rights: Revisions to the Composition of the Academic Senate

SUBMITTED BY: Senate Sub-Committee to Address Constitutional Voting Issues and the Executive Committee of the Academic Senate

DATE: February 3, 2011

ACTION: Legislative Authority/Constitutional Amendment

REFERENCE: *Constitution of the Academic Senate of the University of Dayton, Article IV.*

1.0 Background

As noted in the minutes of 08/23/10, the Executive Committee of the Academic Senate (ECAS) discussed Graduate School representation on the Senate in light of the May 2010 expansion of the Dean of the Graduate School position into an Associate Provost level appointment. The Senate constitution currently specifies that the Dean of the Graduate School is a voting member of the Senate. However, prior to a thorough historical review, it was thought that Associate Provost's do not, and have never, held voting seats on the Senate. Thus, this expanded position created a constitutional issue that needed to be addressed.

During the meeting of 08/30/10, ECAS established a sub-committee to examine issues of representation across campus and to make appropriate recommendations on changes to the Academic Senate constitution. The Sub-Committee to Address Constitutional Voting Issues (SACVI) was directed to consider the voting rights of several Deans' positions, including the Associate Provost & Dean of Graduate, Professional and Continuing Education (GPCE), the Dean of University Libraries and the Vice President for Student Development & Dean of Students. The SACVI later expanded the scope of its discussions to include the Assistant Vice President & Dean of Admission.

In considering potential constitutional amendments, the SACVI was directed to carefully consider that the Constitution of the Academic Senate (Article VII B.) states "An amendment shall be in effect when approved by the Academic Senate, by two-thirds of at least a majority of University tenure-track and tenured faculty voting by written ballot, and when ratified by the President of the University and the Board of Trustees. University faculty voting shall occur only after the proposed amendment has been discussed at a general faculty meeting."

Moreover, in consideration of the time needed for research and possible amendment development, ECAS moved to allow the Associate Provost and Dean of GPCE to continue to represent the Graduate School as a voting member of the Senate during the 2010-11 academic year. ECAS proposed this temporary measure to the full Senate at the September 17, 2010, meeting. The measure passed with a unanimous vote of approval by those senators in attendance.

2.0 SACVI Membership

Bradley Duncan	(Chair, School of Engineering)
James Dunne	(School of Business Administration)
Emily Hicks	(University Libraries)
Steve Richards	(School of Education and Allied Professions)
Shawn Swavey	(College of Arts & Sciences)

3.0 Rationale

3.1 The Associate Provost and Dean of GPCE

A careful reading of the current Senate constitution reveals that the exclusion of Assistant and Associate Deans and Assistant and Associate Provosts applies ONLY to the elected faculty seats on the Senate. This exclusion does not apply to the list of Deans who have ex-officio voting appointments to the Senate. In particular, there is no language in the constitution that necessarily excludes the Dean of GPCE from having a voting seat on the senate simply because (s)he also serves as an Associate Provost. However, since the title “Dean of the Graduate School” has been changed, if the now Dean of GPCE remains a voting member of the Senate, the constitution should be amended to reflect the change in title.

To establish a historical context, the following summary outlines the evolution of the titles held by the individual having university level administrative oversight of graduate education policies and programs at the University of Dayton.

- i) The 1988 version of the Senate constitution gave voting privileges to the “Dean of Graduate Studies (Associate Provost).” That is, the Dean of Graduate Studies also served as an Associate Provost at the time. Presumably this had been the case since 1981 when the Senate was re-established.
- ii) In 1991 the title was changed to “Vice President for Graduate Studies and Research and Dean of Graduate Studies,” though it does not appear that the Senate constitution was amended to reflect this change in title and role [1].
- iii) After the formation of the Graduate School in 1994, the title again changed to Vice President of Graduate Studies & Research and Dean of the Graduate School [1]. This position was further expanded somewhat later to include the role and title of Director of UDRI. In addition, at some point the “Graduate Studies (Associate Provost)” descriptor under the list of voting Deans in the Senate constitution was changed to simply “Graduate School.” This is, in fact, how the constitution currently reads, though there is no evidence that this change to the constitution was ever voted on and approved by the Senate or the University of Dayton faculty [2].

iv) In 2005 the multiple positions filled by the Dean of the Graduate School were split into three separate appointments: i.e., Dean of the Graduate School, Vice President for Research, and Director of UDRI. The Dean of the Graduate School remained a voting member of the Senate.

v) In 2010 the Dean of the Graduate School position once again expanded and the title was changed to Associate Provost and Dean of Graduate, Professional and Continuing Education.

Based upon the historical evidence there was unanimous agreement among the SACVI committee members that the current Senate constitution should be interpreted as extending a voting seat to the current Dean of GPCE. Therefore, the committee members unanimously agreed that the Dean of GPCE should retain a voting seat on the Senate. In particular, no serious reason could be identified that would lead the SACVI to propose disenfranchising the Dean of GPCE. However, it was recognized that the title of the person charged with university level oversight of graduate programs and policies at UD has evolved regularly over the years. It was therefore agreed that this proposal should not focus on whether or not the Dean of GPCE should have, or should retain, a voting seat on the Senate. Instead the SACVI agreed that more generic language should be proposed for use in the Senate constitution. This would alleviate the need to amend the constitution further if the title changes again at a later date.

3.2 The Dean of University Libraries

After much discussion and careful deliberation the members of the SACVI came to the unanimous conclusion that the Dean of University Libraries should be given a voting seat on the Senate. A variety of compelling reasons were cited, including the following:

i) The University of Dayton librarians (currently 16 in number) are faculty with ranks of Professor, Associate Professor, Assistant Professor and Lecturer. The Library faculty are subject to all policies and procedures governing faculty at the University of Dayton, including tenure, promotion, and post-tenure peer review. In particular, research, publication and service to the university and to the profession are requirements of all tenured and tenure-track library faculty.

ii) Faculty and undergraduate/graduate policy issues considered by the Senate, as well as every new program, class and/or curriculum change, all impact the libraries and the library faculty. While it is true that the Libraries are represented on the Senate by one faculty member librarian, faculty members are commonly not in a position to fully understand the administrative consequences of Senate decisions.

iii) In the preamble to the constitution of the Academic Senate it is explicitly stated that "Through this Constitution, the University Faculty expresses its commitment to the ideal of active and meaningful participation of **all** elements of the University academic community in the process of initiating and formulating the educational and academic policies of the University" [2]. (emphasis added)

Library faculty serve on numerous University committees, task forces, etc., including the former CAP working groups, the Graduate Leadership Council, the University

Accreditation Committee, and the Women's and Gender Studies Program Committee, thereby meaningfully contributing to the “process of initiating and formulating the educational and academic policies of the University.” Nevertheless, while library faculty are subject to the actions and policies established by the Academic Senate, the current constitution denies them the equitable administrative representation afforded to all other faculty.

iv) Contrary to common perception, the Dean of University Libraries does oversee academic programming. [CORRECTION: THE DEAN OF UNIVERSITY LIBRARIES CONTRIBUTES ADMINISTRATIVE OVERSIGHT OF ACADEMIC PROGRAMMING. CORRECTION NOTED DURING SENATE HEARING OF 02/18/11.] The academic program of The Marian Library/International Marian Research Institute, in affiliation with the Pontifical Theological Faculty Marianum in Rome, Italy, offers advanced pontifical degree programs with specialization in Mariology: i.e., the doctorate in sacred theology (S.T.D.) and the licentiate in sacred theology (S.T.L.). The library is also currently exploring the possibility of offering a joint program with the University of Dayton Religious Studies Department that would allow students to be awarded both an S.T.D. and a Ph.D.

v) Finally, the SACVI notes that librarianship is historically and persistently a woman's profession [3,4]. In the Roesch and Marian libraries at UD, for example, the current gender balance is 31.25% male (5) to 68.75% female (11). As the Senate regularly considers policies and programs that have gender-related considerations, the SACVI believes it is unwise to continue to exclude from Senate membership an academic administrator who represents a predominantly female faculty.

Thus, for all the reasons presented above (i.e., the presence of an academic faculty; library faculty involvement in academic policies, programs and curricula; the Senate constitution's explicit call for the inclusion of all in the academic community; the library affiliated degree granting programs, and the Libraries' predominantly female faculty) the SACVI believes that failure to grant the Dean of University Libraries a voting seat on the Academic Senate would be very difficult to justify.

An argument raised in opposition to granting the Dean of University Libraries a voting seat on the Senate is that such a change in the composition of the Senate would reduce the relative fraction of voting seats on the Senate that belong to faculty. However, if the Dean of University Libraries is granted a voting seat on the Senate, the “administrator” votes will increase by only 2.1% (i.e., 6 out of 39 total votes now, versus 7 out of 40 total votes if the Dean of the University Libraries is added to the list of voting Deans). The members of SACVI believe that this slight change in voting composition of the Senate is justified in order to give the Dean of University Libraries the same voting rights enjoyed by the other Deans that oversee academic programs.

3.3 The Vice President for Student Development & Dean of Students, and the Assistant Vice President & Dean of Admission

The SACVI members were unanimous in their belief that neither of these two positions should have voting seats on the Senate. No tenured or tenure-track faculty report through these positions and neither oversees academic degree programs. Moreover, the SACVI believes that the concerns and needs of students are already well represented by the eight voting student members of the Academic Senate, as well as through the SGA. No further action regarding these positions was recommended.

4.0 Proposals

4.1 Concerning the Dean of University Libraries

The SACVI proposes that the Dean of University Libraries be granted a voting seat on the University of Dayton Academic Senate and that the words “University Libraries” be added to the list of voting Deans in Article IV, Section A.2. (Deans) of the Senate constitution.

4.2 Concerning the Associate Provost & Dean of GPCE

The SACVI proposes that under the list of voting Deans in Article IV, Section A.2. (Deans) of the Senate constitution, the words “Graduate School” be eliminated and the language “Dean with university level oversight of graduate programs and policies” be added.

5.0 Implementation

5.1 Approval from the Full Faculty, the President and the Board of Trustees

With approval of the Senate, members of the Executive Committee and SACVI will present this amendment to the full faculty for approval during the spring term of 2011. Open hearings will be held in the last week of February and the first weeks of March, followed by an election at the end of March 2011. Elections will be conducted on-line through the balloting system used for the election of representatives. If the amendment is approved by at least two-thirds of the majority of the University tenured/tenure-track faculty, it will then be submitted to the President and Board of Trustees for approval at their May 2011 meeting.

5.2 Summary of Proposed Changes to the Constitution

If either of the two proposals above (4.1 and 4.2) are approved by the Senate and UD faculty, then Article IV, Section A.2 of the University of Dayton Academic Senate Constitution will be amended to read as follows:

2. Deans.

College of Arts and Sciences

School of Business Administration

School of Education and Allied Professions

School of Engineering

School of Law

University Libraries

Dean with university level oversight of graduate programs and policies

6.0 Further recommendations: The Academic Senate was reconstituted in 1981, and since that time many changes in the size of the administration as well as the faculty and student bodies have developed. Due to the many changes across the University of Dayton these thirty years, a reassessment of Academic Senate representation is warranted. The Senate will charge a sub-

committee of faculty and administrators to undertake a study examining the possible need for greater representation of faculty and students. This study would consider the proportional representation of faculty, students, and administrators at the University of Dayton, and would strive to articulate ideal ratios for representation of faculty, students and administrators. The sub-committee will report to the Senate its findings by April 2012.

7.0 References

- [1] Senate Document 94-1, *Proposal for the Formation of a Graduate School*.
- [2] *University of Dayton Academic Senate Constitution* (as amended by the University Faculty on September 25, 2006).
- [3] http://www.ala.org/ala/aboutala/offices/diversity/diversitycounts/diversitycounts_rev0.pdf
- [4] <http://www.arl.org/bm~doc/ss08.pdf>